

stances within your knowledge which may lead you to the opinion you now entertain on this subject. ~
4th Int: Would or would it not be for the advantage and benefit of all ^{the} parties interested that a sale should be made of the said land, and the proceeds distributed among the said parties, in proportion to their respective interests? If yes, state any state any circumstances which may lead you to the formation of the opinion you now entertain upon this subject. ~

5th Int: Has or has not Ann Coga Snurr requested the other parties interested to unite with her in making a sale of the said land? If yes, state the result of such request and state fully your knowledge herein. ~ 6th Int: Do you or not know any other matters or things that would be to the interest and advantage of the Complainant in this cause? If yes, state fully all your knowledge herein. ~

C. D. Levy, Solicitor
for Complainant ~

"Which is thus endorsed"

J. William B. Nelson Esq Comr

Issue subpoena's for Ezra Minnick, Silvanus Caven, and Snurr to testify for Complainant and return Exhibits No. 1, 2, and 3, with Commission
Filed August 3rd 1867. ~
C. D. Levy, Solicitor

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, and to me directed, and empowering me to examine witnesses in the cause depending in the said Court between Ann Coga Snurr, as Complainant, and George Snurr & others, as Defendants, I, William B. Nelson, Commissioner therein named, did, on the Thirty first day of July, Eighteen hundred and sixty seven, at my office in Frederick City Md. proceed to take the following testimony, to wit: The Complainant filed with the Commissioner as evidence Exhibits Nos. 1, 2, & 3 herewith returned and there being no witnesses present to be examined, the said Commission was adjourned to the 3rd day of August A.D. 1867. at which time and at the place aforesaid, I then and there proceeded, in the presence of the Complainant's solicitor to take the following depositions, to wit: ~

Ezra Minnick, a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and herewith returned, deposes and says. ~ To the 1st Int that he is acquainted with all of the parties to this suit, except the wives of Jacob and Andrew Snurr, and has known them for many years; that they are all adults and all reside out of the State of Maryland, except the Complainant.

To the 2nd Int. ~ That they are seized and possessed of valuable real estate situated in Frederick County, Maryland; that he looks at Exhibit No. 1 now here shown him and that said Exhibit describes all the Real Estate of which said parties are seized as tenants in Common, and that said Real Estate is worth about Seven Hundred Dollars. ~

To the 3rd Int. ~ That said Real Estate is not susceptible of division without loss and injury to the parties interested; that there are seven parties interested and only five acres of land with a house thereon; situated in the Country about a half a mile from Middletown, and if divided, will not admit of advantageous cultivation or sale. ~

To the 4th Int: That a sale of said Real Estate would be for the benefit and advantage of all parties, for the reasons stated in answer to the foregoing interrogatory. ~

To the 5th Int. That Complainant has written several times to the parties to induce them to sell said real estate, but that the parties would not or could not agree upon the terms of sale.

That Defendant has written to the defendants several times for the Complainant to effect a sale, but Defendants would not agree ~

To the 6th Int. That he knows nothing further ~